



JPW 1637
71

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas F. Smith, et al. Art Unit : 1637
Serial No. : 10/066,432 Examiner : Kenneth R. Horlick
Filed : January 31, 2002
Title : DETECTION OF HERPES SIMPLEX VIRUS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

The following correspondence relating to this application is enclosed for filing:

1. Supplemental Information Disclosure Statement (1 page);
2. Form PTO-1449 (2 pages);
3. Copies of cited references (18 references, one on CD-ROM);
4. Two partial European Search Reports (7 pages and 5 pages); and
5. A Return Postcard.

Please date stamp and return the enclosed postcard. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 1, 2004

M. Angela Parsons
M. Angela Parsons, Ph.D.
Reg. No. 44,282

Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
(612) 335-5070 telephone
(612) 288-9696 facsimile
60219907.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 1, 2004
Date of Deposit

Lisa M. Becker
Signature

Lisa M. Becker
Typed or Printed Name of Person Signing Certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas F. Smith et al. Art Unit : 1637
Serial No. : 10/066,432 Examiner : Kenneth R. Horlick
Filed : January 31, 2002
Title : DETECTION OF HERPES SIMPLEX VIRUS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants submit the references listed on the attached form PTO-1449. Copies of two partial European Search Reports in counterpart applications are also enclosed.

This statement is being filed after a first Office Action on the merits, but before receipt of a Final Office Action or a Notice of Allowance. I, the undersigned, hereby certify that each item of information contained in this statement was cited in a partial European Search Report in a counterpart foreign application, the communications being dated March 2, 2004 and March 10, 2004, which are not more than three months prior to the filing of this statement. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 1, 2004

M. Angela Parsons
M. Angela Parsons, Ph.D.
Reg. No. 44,282

Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696
60219901.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JUNE 1, 2004
Date of Deposit

[Signature]
Signature

Lisa M. Becken
Typed or Printed Name of Person Signing Certificate

Substitute Form PTO-1449 (modified) Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.96(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 07039-246001	Application No. 10/066,432
		Applicant Thomas F. Smith et al.	
		Filing Date January 31, 2002	Group Art Unit 1634

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	5,702,895	12/30/97	Matsunaga et al.			

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AB	1 160 333	12/05/01	EPO				
	AC	0 526 876	02/10/93	EPO				
	AD	WO 03/068918	08/21/03	PCT				
	AE	WO 01/23604 (on CD-ROM)	04/05/01	PCT				
	AF	WO 01/12803	02/22/01	PCT				

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AG	Arthur et al., "Enterococcus faecium transposon Tn1546 transposase, resolvase, vanR, vanS, vanH, vanA, vanX, vanY and teicoplanin resistance protein (vanZ) genes, complete cds," 1993, database accession no. M97297
	AH	Grisold et al., "Detection of Methicillin-Resistant <i>Staphylococcus aureus</i> and Simultaneous Confirmation by Automated Nucleic Acid Extraction and Real-Time PCR," <i>J. Clin. Microbiol.</i> , 2002, 40:2392-2397
	AI	Huletsky et al., "Rapid Detection of Vancomycin-Resistant Enterococci Directly from Rectal Swabs by Real-Time PCR Using the Smart Cycler," <u>Abstracts of the Interscience Conference on Antimicrobial Agents and Chemotherapy</u> , Chicago, Illinois, September 22-25, 2001, 41:409 (Abstract K-1195)
	AJ	Ito et al., "Staphylococcus aureus DNA, type-I staphylococcal cassette chromosome mec," 1999, database accession no. AB033763
	AK	"LightCycler-FastStart DNA Master Hybridization Probes," 1999 Roche Diagnostics GmbH Technical Manual, retrieved from the internet on February 6, 2004: http://www.roche-applied-science.com
	AL	Palladino et al., "Real-time PCR for the rapid detection of <i>vanA</i> and <i>vanB</i> genes," <u>Diagnostic Microbiology and Infectious Disease</u> , 2003, 45:81-84
	AM	Palladino et al., "Rapid Detection of <i>vanA</i> and <i>vanB</i> Genes Directly from Clinical Specimens and Enrichment Broths by Real-Time Multiplex PCR Assay," <i>J. Clin. Microbiol.</i> , 2003, 41:2483-2486
	AN	Patel et al., "Enterococcus faecalis vancomycin resistance protein (vanB) gene, partial cds," 1997, database accession no. U72704
	AO	Patel et al., "Enterococcus faecium vancomycin resistance protein B (vanB) gene, partial cds," 1997, database accession no. U94528

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 07039-246001	Application No. 10/066,432
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Thomas F. Smith et al.	
		Filing Date January 31, 2002	Group Art Unit 1634

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AP	Petrich et al., "Direct detection of <i>vanA</i> and <i>vanB</i> genes in clinical specimens for rapid identification of vancomycin resistant enterococci (VRE) using multiplex PCR," <u>Molecular and Cellular Probes</u> , 1999, 13:275-281
	AQ	Reischl et al., "Rapid Identification of Methicillin-Resistant <i>Staphylococcus aureus</i> and Simultaneous Species Confirmation Using Real-Time Fluorescence PCR," <u>J. Clin. Microbiol.</u> , 2000, 38:2429-2433
	AR	Sloan et al., "Evaluation of a Combined LightCycler Assay for the Detection of <i>vanA</i> , <i>vanB</i> , and <i>vanB-2/3</i> Genes in Enterococci," <u>Abstracts of the General Meeting of the American Society for Microbiology</u> , 2002, 102:143 (Abstract C-242)

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	